

MAIN ESTIMATES 2015-2016
JUSTICE COMMITTEE

May 11, 2015

Table of Contents

Subject	Tab
Opening Remarks	1
Justice Committee Membership	2
FINANCIAL ISSUES	3
Main Estimates Page Proofs	A
Financial Overview	B
Portfolio Requests	C
Renewal of the Supporting Families Experiencing Separation and Divorce Initiative (\$22.8 million)	D
Renewal of the funding for the delivery of immigration and refugee legal aid in provinces and territories and the management of court-ordered counsel in federal prosecutions (\$14.4 million)	E
Renewal of the funding for the Aboriginal Justice Strategy (\$11.0 million)	F
Renewal of the funding for Comprehensive Claims and Self-Government Negotiations Across Canada (\$3.0 million)	G
Funding in support of non-legislative measures to address prostitution (\$1.9 million) + Implementation of Bill C-36	H
Increase in the Employee Benefit Plan (\$1.5 million)	I
Sunsetting of the funding to support victim services and violence prevention in Aboriginal communities and to increase national support for missing persons investigations (- \$1.6 million)	J
Legal Services Review (- \$1.6 million)	K
Sunsetting of the funding to address challenges in the management of security inadmissibility cases, protect classified information in immigration proceedings, and obtain assurances against torture in exceptional removal cases (-\$7.4 million)	L
PROGRAMS	4
Comprehensive Note on Programs	A
Legal Aid Program	B

MAIN ESTIMATES 2015-2016
JUSTICE COMMITTEE

May 11, 2015

Drug Treatment Courts	C
Victims Fund	D
Youth Justice Fund	E
Youth Justice Service Funding Program	F
Access to Justice in Both Official Languages	G
Aboriginal Courtwork Program	H
National Anti-Drug Strategy	I
Justice Partnership and Innovation Program	J
Intensive Rehabilitative Custody and Supervision Program	K
Integrated Market Enforcement Teams Reserve Fund	L
Hague Conference on Private International Law	M
International Institute for the Unification of Private Law (UNIDROIT)	N

LEGISLATION	5
Legislative Overview	A
Bill C-51, <i>Anti-terrorism Act, 2015</i>	B
Bill C-53, <i>Life Means Life Act</i>	C
Government Initiatives	

MAIN ESTIMATES 2015-2016
JUSTICE COMMITTEE

s.21(1)(a)

s.21(1)(b)

s.23

May 11, 2015

LITIGATION	6
General Litigation	A
	3
	3
	3
	3
	4
	4
	4
	4
	4
	4
	4
	5
	5
	5
	5
	5
	5
	6
	6
	6
	6
	6
	7
	7
	7
	7
	7
	8
	8
	8
	9
	9
	9
	9
	9
	9
	9
	10
	10
	10
	10

s.21(1)(a)

s.21(1)(b)

s.23

MAIN ESTIMATES 2015-2016
JUSTICE COMMITTEE

May 11, 2015

	10 11	
<i>Henry v. HMTQ et al</i>		B
<i>Omar Ahmed Khadr v. Dave Pelham</i> (Hearing on Conditions for Release on Bail)		C
<i>AGQ v. AGC (Ending the Long-Gun Registry Act)</i>		D
<i>Expenditure Restraint Act</i> litigation		E
<i>Federation of Law Societies v. AGC</i>		F
<i>Nunavut Tunngavik Incorporated (NTI) v. Canada (AG)</i>		G
		H
Charter challenges to the Victim Surcharge		I
Truth and Reconciliation Commission –		J

JUDICIAL AFFAIRS	7
Judicial Discipline Inquiries and Process Reform	A
Supreme Court of Canada Appointments Process	B
Diversity in Appointments	C
	D

MANAGEMENT	8
Leave Reconciliation	A
Public Service Survey	B
Changes to Public Servants' Compensation (sick leave and retirees' benefits)	C
Changes to the Public Service Labour Regime brought in by BIA 2013	D
Report on Plans and Priorities	E
Service Levels since DRAP	F
Lapses	G
	H

MAIN ESTIMATES 2015-2016
JUSTICE COMMITTEE

May 11, 2015

OTHER	9
Section 4.1 of the <i>Department of Justice Act</i>	A
Reduction to Justice Canada Research Capacity	B
Reports of the Ombudsman for Victims of Crime	C
Victims Week (April 20-24, 2015)	D
Victims of Communism Memorial	E
	F
Privacy breaches (loss of information)	G
Ongoing litigation between the Federal government and other Canadian governments (parliamentary question Q-967)	H
Delays in the Criminal Justice System	I
Legal Agents Appointed by the Minister of Justice	J
Police-Report Crime Statistics in Canada, 2013	K

s.16.1(1)(b)

Advice to the Minister

LEAVE RECONCILIATION EXERCISE

TOPIC: The Department undertook a review in April 2013 of discrepancies identified over six years between leave reported in the official Human Resources Management System (PeopleSoft) and the timekeeping system (iCase) for existing employees.

CONTEXT: You could be asked about the progress made to date in the reconciliation of leave as well as the recovery of monies owing from employees and former employees. In addition, you could be asked about the net financial liability and how this is to be accounted for in related financial statements or other impacts.

PROPOSED RESPONSE:

- **The Department of Justice commissioned a review of leave usage as soon as the potential for discrepancies was made known. The review was a comprehensive one; it looked at related data over a six-year period from 2007 to 2013.**
- **The Department reviewed all instances of existing Justice employees in detail to ensure that the appropriate leave data was entered in the Human Resource Management System.**
- **As the discrepancies were resolved, the emerging financial liability became significantly less than anticipated at the start of the review and a re-examination of financial statements was not required.**
- **Measures have been taken to ensure that the potential for future discrepancies is minimized. This includes improvements to the Departmental systems as well as ongoing monitoring and reporting. In order to ensure that leave is reported accurately in the future, a leave attestation process was implemented whereby employees and managers review the leave statements on March 31 of each year and attest to the leave taken during the previous fiscal year.**

If asked:

- **The next step is the reconciliation of leave discrepancies identified for employees who have left the Department. The Department has now contacted former employees regarding this exercise. The process is ongoing.**

BACKGROUND:

The Department commissioned a review of leave usage as reported in the timekeeping system (iCase) in comparison to that found in the official Human Resources Management System (Peoplesoft).

The iCase timekeeping module is used by two principal groups within the Department: legal counsel and paralegals. The iCase and Peoplesoft systems are not integrated and do not provide for transfer of information.

Some 119,000 discrepancies emerged in the examination of data over a six-year period from 2007 to 2013, involving some 3,747 employees with a potential value initially estimates at \$40 to \$50 million. This did not include former 'departed' employees. In July 2013, senior managers in the Department were directed to reconcile these discrepancies through a detailed examination of the data. Employees and managers were asked to attest to the accuracy of the emerging data, in order to properly update the PeopleSoft system and have leave balances accurately reflect usage. The exercise is now virtually complete with close to 95 percent of the discrepancies accounted for and those remaining are currently on leave without pay from the Department. The Management and CFO Sector follows up with those employees upon their return to work.

As the discrepancies were resolved, the emerging financial liability was significantly less than anticipated. To recover amounts owing, options were put in place for repayments and reductions of leave balances. In February 2015, the Department continued the Leave Reconciliation exercise for those employees who had left the Department.

The Department has been in discussion with the Office of the Comptroller General in terms of modalities to reconcile leave discrepancies for former employees. Measures are at the discretion of the Deputy Minister and these are currently under examination.

In the context of completion of the exercise, the Department will be vigorously monitoring this issue to support any further corrective measures.

Prepared by: Colleen Laframboise
Date: April 21, 2015

Approved by: Michel Brazeau
Date:

Advice to the Minister

LEAVE RECONCILIATION EXERCISE

TOPIC: The Department undertook a review in April 2013 of discrepancies identified over six years between leave reported in the official Human Resources Management System (PeopleSoft) and the timekeeping system (iCase) for existing employees.

CONTEXT: You could be asked about the progress made to date in the reconciliation of leave as well as the recovery of monies owing from employees and former employees. In addition, you could be asked about the net financial liability and how this is to be accounted for in related financial statements or other impacts.

PROPOSED RESPONSE:

- **The Department of Justice commissioned a review of leave usage as soon as the potential for discrepancies was made known. The review was a comprehensive one; it looked at related data over a six-year period from 2007 to 2013.**
- **The Department reviewed all instances of existing Justice employees in detail to ensure that the appropriate leave data was entered in the Human Resource Management System.**
- **As the discrepancies were resolved, the emerging financial liability became significantly less than anticipated at the start of the review and a re-examination of financial statements was not required.**
- **Measures have been taken to ensure that the potential for future discrepancies is minimized. This includes improvements to the Departmental systems as well as ongoing monitoring and reporting. In order to ensure that leave is reported accurately in the future, a leave attestation process was implemented whereby employees and managers review the leave statements on March 31 of each year and attest to the leave taken during the previous fiscal year.**

If asked about next steps:

- **The next step is the reconciliation of leave discrepancies identified for employees who have left the Department. The Department has now contacted former employees regarding this exercise. The process is ongoing.**

BACKGROUND:

The Department commissioned a review of leave usage as reported in the timekeeping system (iCase) in comparison to that found in the official Human Resources Management System (Peoplesoft).

The iCase timekeeping module is used by two principal groups within the Department: legal counsel and paralegals. The iCase and Peoplesoft systems are not integrated and do not provide for transfer of information.

Some 119,000 discrepancies emerged in the examination of data over a six-year period from 2007 to 2013, involving some 3,747 employees with a potential value initially estimates at \$40 to \$50 million. This did not include former 'departed' employees. In July 2013, senior managers in the Department were directed to reconcile these discrepancies through a detailed examination of the data. Employees and managers were asked to attest to the accuracy of the emerging data, in order to properly update the PeopleSoft system and have leave balances accurately reflect usage. The exercise is now virtually complete with close to 95 percent of the discrepancies accounted for and those remaining are currently on leave without pay from the Department. The Management and CFO Sector follows up with those employees upon their return to work.

As the discrepancies were resolved, the emerging financial liability was significantly less than anticipated. To recover amounts owing, options were put in place for repayments and reductions of leave balances. In February 2015, the Department continued the Leave Reconciliation exercise for those employees who had left the Department.

The Department has been in discussion with the Office of the Comptroller General in terms of modalities to reconcile leave discrepancies for former employees. Measures are at the discretion of the Deputy Minister and these are currently under examination.

In the context of completion of the exercise, the Department will be vigorously monitoring this issue to support any further corrective measures.

Prepared by: Colleen Laframboise
Date: April 21, 2015

Approved by: Michel Brazeau
Date:

s.21(1)(a)

s.21(1)(b)

s.21(1)(d)

Note to file:

This Memorandum was already been approved and signed (signature page attached). The Memorandum came back from the Office of the Associate Deputy Minister




Karine Renoux

December 10, 2015

10:20 am



Department of Justice
Canada

Ministère de la Justice
Canada

CCM#: 2014-012300
Security Classification: Protected B
For Approval

MEMORANDUM TO THE DEPUTY MINISTER

s.21(1)(a)

Leave Reconciliation 2013

s.21(1)(b)

(Salary Recovery)

s.21(1)(d)

(FOR APPROVAL)

SUMMARY

Pages 12 to / à 13
are withheld pursuant to sections
sont retenues en vertu des articles

19(1), 21(1)(a), 21(1)(b), 21(1)(d)

of the Access to Information Act
de la Loi sur l'accès à l'information

Page 14

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(b), 21(1)(d)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.21(1)(a)

s.21(1)(b)

s.21(1)(d)

- 5 -

Protected B

Prepared by:

Richard Momy, Chief, Labour Relations, Labour Relations and Compensation (960-3200)

Date: 8 July 2015

Reviewed by:

Karine Renoux, Director, Labour Relations and Compensation (946-0211)

Date: 10 décembre 2015

Reviewed by:

Michel Brazeau, Director General, Human Resources Branch (941-1867)

Date: 14.12.15

Approved by:

Marie-Josée Thivierge, Assistant Deputy Minister, Management Sector and Chief Financial Officer (613-907-3724)

Date: 14-12-2015

Approved by:

Pierre Leqault, Associate Deputy Minister

Date: 21-12-2015

CCM#: 2014-012300

Pages 16 to / à 17
are withheld pursuant to sections
sont retenues en vertu des articles

21(1)(a), 21(1)(b), 21(1)(d)

of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 18 to / à 23
are withheld pursuant to sections
sont retenues en vertu des articles

19(1), 21(1)(a), 21(1)(b), 21(1)(d)

of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 24 to / à 27
are withheld pursuant to sections
sont retenues en vertu des articles

21(1)(a), 21(1)(b), 21(1)(d)

of the Access to Information Act
de la Loi sur l'accès à l'information